

1 Adam E. Polk (SBN 273000)  
Simon Grille (SBN 294914)  
2 Trevor T. Tan (SBN 280145)  
Reid Gaa (SBN 330141)  
3 **GIRARD SHARP LLP**  
4 601 California Street, Suite 1400  
San Francisco, CA 94108  
5 Telephone: (415) 981-4800  
Facsimile: (415) 981-4846  
6 apolk@girardsharp.com  
sgrille@girardsharp.com  
7 ttan@girardsharp.com  
8 rgaa@girardsharp.com

9 *Attorneys for Plaintiffs*

10  
11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13

14 BRAYDEN STARK, JUDD OOSTYEN, ISAAC  
BELENKIY, VALERIE BURTON, LAURA  
15 GOODFIELD and, DENOVAS MACK,  
16 individually and on behalf of all others similarly  
situated,

17 Plaintiffs,

18 v.

19 PATREON, INC.,

20 Defendant.  
21  
22  
23  
24  
25  
26  
27

Case No. 3:22-cv-03131-JCS

**DECLARATION OF SIMON S. GRILLE  
IN SUPPORT OF PLAINTIFFS'  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED**

I, Simon S. Grille, hereby declare under penalty of perjury:

1. I am an attorney at the law firm of Girard Sharp LLP and represent Plaintiffs Brayden Stark, Judd Oostyen, Isaac Belenkiy, Valerie Burton, Laura Goodfield, and Denovias Mack (“Plaintiffs”) in this action. I have personal knowledge of the facts stated in this declaration and, if called to do so, could and would testify competently thereto.

2. I submit this declaration in support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed.

3. Paragraph 13.3 of the Stipulated Protective Order requires materials designated as “Confidential” (“Protected Material”) to be filed under seal. Protected Material includes information (regardless of how it is generated, stored or maintained) or tangible things that qualify for protection under Federal Rule of Civil Procedure 26(c). *See* Stipulated Protective Order, ¶¶ 2.3, 2.15, Dkt. No. 29.

4. The following portions of Plaintiffs’ Reply in Support of Motion to Supplement the Summary Judgment Record contain, summarize or reflect the content of materials that Patreon has designated as Protected Material pursuant to the Stipulated Protective Order, or which potentially reflect confidential, proprietary, or private information:

| Document | Description   | Designating Party |
|----------|---|-------------------|
| Reply    | Plaintiffs’ Reply in Support of Motion to Supplement the Summary Judgment Record:<br><br>Page 2, lines 27-28; Page 3, lines 6-7, 9, 11; Page 4, lines 2-4, 6, 15-16 | Patreon, Inc.     |

5. Plaintiffs take no position at this time on whether any of these designated portions satisfy the requirements for sealing, and specifically reserve the right to challenge any designation under the Stipulated Protective Order as well as the propriety of sealing any of these materials under Civil Local Rule 79-5 and applicable law.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed March 6,  
2 2024, in San Francisco, CA.

3 /s/ Simon S. Grille

4 Simon S. Grille  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record. I also certify that I caused the under seal documents to be served on counsel *via electronic mail*.

By: /s/ Simon S. Grille

Simon S. Grille